

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

For Online Publication Only

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JOSEPH SERVISS, STATHIS COULOURIS,
M.G. THOMPSON, individually and on behalf of
all other persons similarly situated,

Plaintiffs,
-against-

PAUL J. MARGIOTTA, ESQ., Executive Director,
of the Suffolk County Traffic and Parking Violation
Agency; PAUL H. SENZER, ESQ., a Judicial
Hearing Officer at the Suffolk County Traffic and
Parking Violation Agency; JOHN DOE, ESQ., a
Judicial Hearing Officer at the Suffolk County
Traffic and Parking Violation Agency, and THE
COUNTY OF SUFFOLK,

Defendants.

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AZRACK, United States District Judge:

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

15-CV-3411 (JMA)(ARL)

**FILED
CLERK**

6/12/2017 10:23 am

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Plaintiffs Joseph Serviss, Stathis Coulouris, M.G. Thompson brought this putative class action for civil rights violations under 42 U.S.C. § 1983 against the defendants named above. Defendants have moved to dismiss plaintiffs’ amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court referred the motion to dismiss to the Honorable Arlene R. Lindsay, United States Magistrate Judge, for a report and recommendation. In a Report and Recommendation dated May 25, 2017 (“the R&R”), Magistrate Judge Lindsay recommended that the motion to dismiss be granted.

No party has objected to the R & R, and the time for doing so has passed. When deciding whether to adopt a report and recommendation, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection

has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y.2011) (internal quotation marks and citation omitted). The Court has reviewed the record and, finding no clear error, adopts the R & R as the opinion of the Court. The Court grants defendants’ motion to dismiss. The Clerk of Court is directed to close this case.

SO ORDERED.

Date: June 12, 2017
Central Islip, New York

_____/s/ (JMA)
Joan M. Azrack
United States District Judge